

***BESTPITCH  
35708-012202***



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***January 22, 2002  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**1. Call to Order--Roll Call. (All present.)**

The Invocation was delivered by The Reverend Floyd W. Davis, Pastor, High Street Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

**NOTICE:**

Today's meeting will be taped by RVTv Channel 3, to be replayed on Channel 3 on Wednesday, January 23, 2002, at 7:00 p.m., and Sunday, January 27, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

**THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.**

**THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEGOV.COM](http://WWW.ROANOKEGOV.COM), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.**

**ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.**

**ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.**

**RVTV CHANNEL 3 COVERAGE OF THE CITY COUNCIL MEETING WILL CONCLUDE FOLLOWING ITEM 11, CITY MANAGER COMMENTS.**

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A resolution paying tribute to James D. Grisso, Director of Finance for the City of Roanoke, and expressing to him the appreciation of this City and its people for his exemplary public service.

**Adopted Resolution No. 35708-012202. (7-0)**  
**File #1-80**

3. **CONSENT AGENDA**

**(APPROVED 7-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the regular meeting of Council held on Monday, November 19, 2001, and recessed until Monday, November 26, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Council Member C. Nelson Harris, Chair, City Council's Personnel Committee, requesting a Closed Meeting to discuss the performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.  
**File #110-132**

- C-3 A communication from the City Manager recommending approval of the proposed budget study schedule for fiscal year 2002-03.

RECOMMENDED ACTION: Concur in recommendation.  
**File #60**

- C-4           A communication from the Director of Real Estate Valuation transmitting the Annual General Reassessment Program for fiscal year 2002-03

RECOMMENDED ACTION: Receive and file.

**File #79-162**

- C-5           Qualification of the following persons:

Glenn D. Radcliffe and Pam Kestner-Chappelear as members of the Human Services Committee for terms ending June 30, 2002; and

Kermit E. Hale and Benjamin S. Motley as members of the Board of Zoning Appeals for terms ending December 31, 2004.

RECOMMENDED ACTION: Receive and file.

**File #15-51-72-110**

## **REGULAR AGENDA**

### **4. PUBLIC HEARINGS: NONE.**

### **5. PETITIONS AND COMMUNICATIONS:**

1.     A communication from Vice-Mayor William H. Carder with regard to the "Roanoke Shining Stars Recognition" program.

**Vice-Mayor Carder proposed the "Roanoke Shining Stars Program," which will recognize the good deeds of citizens. He requested that the proposal be referred to the City Manager for recommendation to Council.**

**File #80**

- b.     A communication from Vice-Mayor William H. Carder with regard to increasing the admissions tax on a City-wide basis (non-profit arts and cultural organizations funding).

**For discussion during fiscal year 2002-03 budget study, Vice-Mayor Carder requested information on the impact to the City of Roanoke of increasing the admissions tax, City-wide, by an additional two to three per cent to aide in funding arts and cultural organizations/agencies. The City Manager was requested to respond to the following questions/requests for information during budget study:**

1. In the event the City of Roanoke increases the admissions tax, would Roanoke County be receptive to increasing the county's admissions tax?
2. A comparison of the City of Roanoke's admissions tax with cities of comparable size in the Commonwealth of Virginia.
3. **How much of an increase in the admissions tax would be needed to make a significant difference (i.e.: currently, the admissions tax generates approximately \$300,000.00, therefore, the tax would have to be doubled in order to generate a significant amount of funds)?**
4. If funding for cultural service agencies is increased, how could funding also be increased for social service agencies (i.e.: through an increase in the admissions tax or another source of revenue)?
5. Will funds be distributed to cultural service organizations based on recommendations of the Roanoke Arts Commission?
6. How will additional admissions taxes be distributed (i.e.: if an organization collects \$17,000.00 in admissions taxes, will the agency receive \$17,000.00, or will all admissions taxes be included in a specific category for distribution)? What is the total amount of admissions taxes collected by each cultural organization?
7. Who pays the admissions tax (i.e.: percentage breakdown on the number of City residents, non-City residents)?

**File #60-79**

## **6. REPORTS OF OFFICERS:**

a. CITY MANAGER:

BRIEFINGS:

1. Tip on water conservation.

**Mr. Michael Barnard presented the “water tip of the week”. He proposed that a brick be placed in the toilet tank which is an instant water saver.**

**The Mayor raised the following questions:**

1. Is dredging a feasible alternative to increase water volume?
2. Is the digging of wells a feasible alternative to increase water supply?

**File #468**

ITEMS RECOMMENDED FOR ACTION:

2. A communication with regard to management and operation services for various City-owned parking facilities.

**Adopted Budget Ordinance No. 35709-012202. (7-0)**

**The Mayor requested information benchmarking the City of Roanoke with other City-owned parking facilities in the state.  
File #60-533**

**(Council Member Wyatt left the meeting.)**

3. A communication with regard to leased space for the Department of Technology from the Greater Roanoke Transit Company.

**Adopted Resolution No. 35710-012202. (6-0)  
File #55-262-373**

4. A communication with regard to purchase of property located between Garden City Boulevard and Bandy Road, S. E., for athletic fields within southeast Roanoke.

**Adopted Ordinance No. 35711-012202. (6-0)**  
**File #2-67**

5. A communication recommending transfer of \$575,641.00 from Parks and Recreation to Streets and Traffic, in connection with alley maintenance, median and right-of-way mowing expenses for the remainder of the fiscal year.

**Adopted Budget Ordinance No. 35712-012202. (6-0)**  
**File #20-60-67-514**

6. A communication with regard to additional property rights acquisition in connection with the Roanoke River Flood Reduction Project.

**Adopted Ordinance No. 35713-012202. (5-0, Mayor Smith abstained from voting.)**  
**File #2-237**

7. A communication recommending adoption of a revised amendment to Section 36.1-640, Architectural Review Board Membership, Code of the City of Roanoke (1979), as amended.

**Adopted Ordinance No. 35714-012202. (6-0)**  
**File #24-51-249**

8. A communication with regard to nomination of Grandin Village for the Virginia Landmarks Register and the National Register of Historic Places.

**Adopted Resolution No. 35715-012202. (6-0)**  
**File #216-554**

9. A communication with regard to a Criminal Justice Records System Improvement Grant.

**Adopted Budget Ordinance No. 35716-012202 and Resolution  
Nos. 35717-012202 and 35718-012202. (6-0)  
File #5-60-236**

10. A communication recommending acceptance of the bid submitted by Aaron J. Conner, General Contractor, Inc., for improvements and signalization at Airport Road/Municipal Road/Towne Square Boulevard, N. W., in the amount of \$997,261.40; and transfer and appropriation of funds in connection therewith.

**Adopted Budget Ordinance No. 35719-012202 and Resolution  
No. 35720-012202. (6-0)  
File #27-60-472-514**

11. A communication recommending acceptance of certain bids submitted to the City for providing custodial/janitorial services at the Main Library and library branches, Parks and Recreation buildings, and the Market Square Walkway.

**Adopted Resolution No. 35721-012202. (6-0)  
File #57-67-183-323**

12. A communication with regard to purchase of a cab/chassis and an automated compaction body for Solid Waste Management.

**Adopted Budget Ordinance No. 35722-012202 and Resolution  
Nos. 35723-012202 and 35724-012202. (6-0)  
File #60-144-472**

13. A communication with regard to purchase of refuse rear loading bodies and refuse cab/chassis for Solid Waste Management.

**Adopted Budget Ordinance No. 35725-012202 and Resolution  
No. 35726-012202. (6-0)  
File #60-144-472**

2. CITY CLERK:

1. A report advising of expiration of the three-year terms of office of Charles W. Day and Brian J. Wishneff as Trustees of the Roanoke City School Board on June 30, 2002, and applications for the



upcoming vacancies will be received in the City Clerk's Office until 5:00 p.m., on Friday, March 8, 2002.

**Received and filed.**

**File #467**

## **7. REPORTS OF COMMITTEES:**

- a. A communication from the Roanoke City School Board requesting appropriations to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Richard L. Kelley, Assistant Superintendent for Operations.

**Adopted Budget Ordinance No. 35727-012202. (6-0)**

**File #60-467**

2. (1) A report of the City Planning Commission recommending that Council concur that the proposed location of the Roanoke Academy of Math and Science located at 1122 19<sup>th</sup> Street, N. W., is substantially in accord with Vision 2001-2020, the Comprehensive Plan for the City of Roanoke. D. Kent Chrisman, Chair.

**Adopted Resolution No. 35728-012202. (6-0)**

**File #32-67-467**

- (2) A report of the Roanoke City School Board requesting the approval of Council of a Resolution adopted at its meeting on December 11, 2001, to dedicate the Kennedy Park site to the Schools for the new Roanoke Academy for Mathematics and Science; and to declare the current school site to be no longer needed for school purposes. Richard L. Kelley, Assistant Superintendent for Operations.

**Adopted Resolution No. 35729-012202. (6-0)**

**File #32-67-467**

3. A report of the City Planning Commission with regard to renaming Oak Park, located in the Wasena Neighborhood, to Triangle Park. D. Kent Chrisman, Chair.

**Adopted Resolution No. 35730-012202. (6-0)**  
**File #67-165**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. Ordinance No. 35691, on second reading, authorizing the City Manager's acceptance of a donation to the City of Roanoke of a parcel of land identified as Official Tax No. 3070318, and expressing appreciation to Calvin W. and Mary C. Powers and Theodore J. and Judy P. Sutton for the donation.

**Adopted Ordinance No. 35691-012202. (6-0)**  
**File #2-68-122-192**

2. An Ordinance amending and reordaining Section 7-7, Building code board of appeals created; composition, eliminating the exception of appeals, pursuant to the BOCA National Property Maintenance Code from the jurisdiction of the building code board of appeals, and repealing Section 7-8, Property maintenance code board of appeals; created; composition, Article II, Building Code, Chapter 7, Building Regulations, Code of the City of Roanoke (1979), as amended.

**Adopted Ordinance No. 35731-012202. (6-0)**  
**File #24-32**

## **10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council Member Harris called attention to legislation introduced (House Bill 460) by Delegate Morgan Griffith at the 2002 Session of the General Assembly which would limit the use of 15 passenger vans for the transportation of youth; whereupon, Council unanimously adopted a motion in support of the spirit and intent of House Bill 460. The City Attorney was requested to communicate the City's support to the City's legislative liaison, Thomas Dick.**

**Council Member Harris requested that the City Manager report to Council on the City's use of 15 passenger vans for transportation purposes.**

**File #67-137**

**Council Member Hudson requested information on costs with regard to providing state of the art equipment for the City's new fire stations.**

**File #70**

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

**Police Officer Harold F. Wallick was appointed as a member of the Towing Advisory Board, to fill the unexpired term of Sergeant C. A. Karr, resigned, ending June 30, 2003 (5-0, Council Member White was out of the Council Chamber.)**

**File #5-15-110-530**

## **11. CITY MANAGER COMMENTS:**

**The City Manager commended City staff on snow removal efforts on Saturday, January 19, 2002. When there is a snow event, she advised that it is the responsibility of the property owner to clear the sidewalk in front**

**of the residence as soon as possible following the snow event, and requested the cooperation of Roanoke's citizens.**

**File #57-166-410**

**RVTV CHANNEL 3 COVERAGE OF THE COUNCIL MEETING WILL CONCLUDE.**

## **12. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**THE MEETING OF COUNCIL WAS DECLARED IN RECESS AT 4:45 P.M. TO BE RECONVENED AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, TO CONDUCT SIX PUBLIC HEARINGS AND TO HEAR A PETITION FOR APPEAL BY CALVARY BAPTIST CHURCH TO A DECISION OF THE ARCHITECTURAL REVIEW BOARD.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***January 22, 2002  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA FOR THE COUNCIL***

**Call to Order -- Roll Call. (All present.)**

The Invocation was delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Scout Troop #5.

Welcome. Mayor Smith.

**NOTICE:**

Tonight's meetings will be taped by RVTV Channel 3 to be replayed on Wednesday, January 23, 2002, at 7:00 p.m., and Sunday, January 27, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

## **A. PUBLIC HEARINGS:**

1. (a) Bids for lease of air rights and easement for support columns located in the City of Roanoke over a portion of Second Street, S. W.

**One bid was received from the Times-World Corporation in the amount of \$8,500.00, for a term commencing January 17, 2002 and ending January 17, 2062.**

**File #227-373-481**

- (b) Public hearing on a proposal of the City of Roanoke to grant, by ordinance, additional air rights, and an easement for support columns located in the City of Roanoke over a portion of Second Street, S. W., for a term beginning as soon as all legal requirements have been met and ending on January 22, 2062, to provide sufficient area and space for a crosswalk in connection with expansion of the facilities of the Times-World Corporation. Darlene L. Burcham, City Manager; and William M. Hackworth, City Attorney.

**Adopted Ordinance No. 35732-012202. (7-0)**

**File #227-373-481**

2. Public hearing on the request of Timothy Sarver to permanently vacate, discontinue and close that certain alleyway running in an easterly direction from 27th Street, N. W., for a distance of approximately 53 feet, more or less, and lying between parcels bearing Official Tax Nos. 2410401 and 2410414. Timothy Sarver, Spokesperson.

**Adopted Ordinance No. 35733-012202. (7-0)**

**File #514**

3. Public hearing to consider previously received applications for Federal funds made available through the Transportation Equity Act for the 21st Century for transportation enhancement projects in Fiscal Year 2002-03. Darlene L. Burcham, City Manager.

**Adopted Resolution No. 35734-012202. (7-0)**

**File #379-441-537**

4. Public hearing on a proposal to extend the lease of a portion of City-owned property, known as the Commonwealth Building, located at 210 Church Avenue, S. W., to the United States Federal Government,

General Services Administration, for a period of one year. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35735-012202. (7-0)**  
**File #32-166-373-524**

5. Public hearing on the proposed adoption of a resolution authorizing the City to contract a debt and to issue general obligation public improvement bonds of the City, in the principle amount of \$830,000.00, for the purpose of providing funds to pay a portion of the costs of a public improvement project of and for the City, consisting of acquisition, construction and equipping of a new Stadium/Amphitheater. James D. Grisso, Director of Finance; and Darlene L. Burcham, City Manager.

**Adopted Resolution No. 35736-012202. (7-0)**  
**File #2-53-122**

6. Public hearing on a proposal to convey, by exchange, portions of City-owned property, identified as Official Tax Nos. 4030602 and 4030604, which are vacant lots located on Piedmont Street, S. E., to adjoining property owners for necessary property rights, in connection with the Roanoke River Flood Reduction Project. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 35737-012202. (7-0)**  
**File #2-166-237**

2. PETITION TO APPEAL A DECISION OF THE ARCHITECTURAL REVIEW BOARD, PURSUANT TO SECTION 36.1-642(d), CODE OF THE CITY OF ROANOKE (1979), AS AMENDED.

1. A Petition for Appeal submitted by Calvary Baptist Church to a decision of the Architectural Review Board for a Certificate of Appropriateness to demolish two vacant buildings located at 503 Sixth Street, S. W. The Reverend Donna Hopkins Britt, Pastor.  
**Upon consideration of the Architectural Review Board's letter dated January 22, 2002, to the City Council, and the information received at the City Council meeting on January 22, 2002, Council adopted a motion that the decision of the City of Roanoke Architectural Review Board on December 13, 2001, be reversed and that a Certificate of Appropriateness be issued for the demolition of**

**structures located at 503 6th Street, S. W., on the grounds that loss of the structures would not be adverse to the district and the public interest by virtue of their uniqueness, and significance to the district, demolition of the structures would have no adverse effect on the character and surrounding environment of the district, and the proposed new use satisfies the intent and standards of the H-2, Neighborhood Historic District, with the understanding that the erection of any structures in connection with such new use will require the issuance of an additional Certificate of Appropriateness. (Vice-Mayor Carder and Council Member Bestpitch voted no.)**

2. A report of the Architectural Review Board in connection with the abovereferenced Petition for Appeal. Robert B. Manetta, Chair.

**RVTV CHANNEL 3 COVERAGE OF THE COUNCIL MEETING WILL CONCLUDE.**

## **C. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. Robert Gravely, 1617 Hanover Avenue, N. W., addressed Council with regard to various issues of concern.**

**File #66**

**CERTIFICATION OF CLOSED SESSION (6-0, Council Member Wyatt abstained from voting inasmuch as she was not present for the Closed Session).**